

[Mr. J. A. Saldanha]

[11th March 1929]

these : The Finance Committee is a most important committee. We have got to function in connexion with the finances of this Province. It is . . ."

* The hon. the PRESIDENT :—" Before the hon. Member proceeds with his amendment, I should like to point out that the amendment will not fit in with the motion which proposes the election of members in accordance with a resolution passed by the Council. That resolution refers to a certain number and out of that number six are to be elected."

* Mr. J. A. SALDANHA :—" I would omit the words . . . "

* The hon. the PRESIDENT :—" The hon. Member will kindly resume his seat. I will give him a chance to explain how his amendment will fit in with the motion."

* Mr. J. A. SALDANHA :—" What I want is there should be a change in the rule itself."

* The hon. the PRESIDENT :—" I am afraid the hon. Member has not put his motion in a suitable form."

* Mr. J. A. SALDANHA :—" Then you will give me an opportunity to bring forward my motion in a suitable form."

* The hon. the PRESIDENT :—" Yes, but that cannot be done now."

The motion of the hon. the Finance Member was put to vote and carried.

* The hon. the PRESIDENT :—" I fix 2 p.m. to-morrow as the time by which nominations for election should be sent to the Secretary. The election will be according to the method of single transferable vote."

V

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1928-29.

GRANT I—LAND REVENUE DEPARTMENT—RESERVED.

* The hon. Sir NORMAN MARJORIBANKS :—" I beg to move—

'that the Government be granted a further sum not exceeding Rs. 1,250 under Grant I—Land Revenue Department—Reserved.'

"Sir, as has been explained in the printed paper, this excess over the grant which was voted by the Council is due to the fact that Khan Bahadur Muhammad Bazl-ul-lah Sahib was appointed for a time as the Third Member of the Board of Revenue and his pay came under the head of 'Voted' instead of 'Non-voted' as he is a member of the Provincial Civil Service. It is in effect an adjustment of a small sum between 'Voted' and 'Non-voted.'"

* The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur. "I second it."

The demand was put and carried and the grant was made.

GRANT VIII—GENERAL ADMINISTRATION—HEADS OF PROVINCES—RESERVED.

* The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I beg to move—

'that Government be granted a further sum not exceeding Rs. 2,050 under Grant VIII—General Administration—Heads of Provinces—Reserved.'

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[Sir Muhammad Usman]

"Sir, of this amount Rs. 600 is necessary for the purchase of kit and equipment to the Indian Aide-de-Camp of His Excellency the Governor. The remaining portion of the grant asked for is necessary for the purpose of the upkeep and renewal of furniture of the three Government Houses and for this about Rs. 3,500 is required. The Military Secretary to His Excellency the Governor reports that Rs. 4,228 was left unspent from the maintenance grant for 1927-28 and that this amount is to be spent in the current year. He also reports that he is able to reappropriate Rs. 728 only from the savings in the budget head under his control. The Chief Engineer has reported that according to the revised budget estimate for 1928-29 Rs. 2,450 will be available. I therefore come before the House for a grant of Rs. 2,050."

The hon. Mr. T. E. MOIR :—"I second it."

* Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, it is probably some satisfaction that this demand is being made in the name of Indian Aide-de-Camp. However, it must be granted that the staff and household of His Excellency the Governor has begun to consume a great deal more than what is reasonably to be conceded in democratic countries for such matters. It is no doubt necessary that the Governor should keep up. . ."

* The hon. the PRESIDENT :—"I do not think the hon. Member will be in order in referring to the general question of His Excellency's household. It is only to the Indian Aide-de-Camp that he is entitled to refer to."

* Mr. G. HARISARVOTTAMA RAO :—"It is a part of the larger question under which the demand is made."

* The hon. the PRESIDENT :—"The hon. Member is already aware that under supplemental demands general issues cannot be raised."

* Mr. G. HARISARVOTTAMA RAO :—"Anyhow I desire to make an appeal to the Government to see that the money of the poor ryot is not spent upon mere luxuries. By this demand it is intended to purchase dress for the Indian Aide-de-Camp, but there is the second portion in the demand which includes furniture . . ."

* The hon. the PRESIDENT :—"The hon. Member will be in order to refer to the Indian Aide-de-Camp and not to any subjects under the general head."

* Mr. G. HARISARVOTTAMA RAO :—"The difficulty for people like me is this: how in the twentieth century it is easy to satisfy ourselves with these demands. The spirit of the age has materially changed and every country in the world is beginning to have less and less of show. That the British Government is conservative is a known fact. All the same conservatism should not be allowed to ride over the sentiments of the age. The age is there and it has to be respected even by a powerful Government like the British Government. I am afraid that in such items of expenditure in this country there is a great deal of latitude that the Government allows itself. It is high time that the Government took stock of the situation and desisted from making demands of this nature not in consonance with the spirit of the times. There is already a hue and cry that this country is called upon to bear, in the name of administration, a top-heavy expenditure and to add to that expenditure in the name of State keeping is really very hard to the poor

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ryots of this country. The noble gentleman for whom such sort of expenditure is intended will certainly appreciate if the Government should take a reasonable view and come to the conclusion that such expenditure should be minimized as much as possible and in fact given up as a general rule."

12 noon. "To ask for grants of this nature every year for repairs to furniture or for dress, which are intended to be mere ornaments, is not right; this is not in keeping with the spirit of the age and the sooner it is given up, the better for the Government, for the country and for the poor ryots of India."

* Mr. K. V. R. SWAMI :—"Mr. President, Sir, I oppose this grant for the following reasons. It is a wonder to me how this sum of Rs. 600 was found wanting, whether any amount was ear-marked specially for an Indian Aide-de-Camp and how it was found that this amount was wanting. I think that a certain amount had been fixed for Aides-de-Camp and that no fixed amount is set apart for any one Aide-de-Camp."

"It is stated that a certain sum of money is required for furniture. Last year, a sum of Rs. 20,000 was spent; this year there is a proposal to spend about Rs. 27,000 for furniture alone. These sums are granted every year for furniture. Now it is stated that an additional amount is required and a supplementary grant is moved now for Rs. 2,050. This is not commendable at all. The expenditure is very much higher than what it ought to be. The Government could have seen that the grant made by the Council for this purpose had not been exceeded. It is only playing with this House and the money of this province, to ask for a supplementary grant for an item of expenditure which is already enormous and which is not required at all, if any economy is to be effected at all. It is not possible for the House to understand how the furniture disappears year after year. A sum of Rs. 20,000 or Rs. 25,000 is sanctioned every year for this purpose. The officer in charge of His Excellency's household should see that the grant is not exceeded, and that the additional sum of Rs. 2,050 asked for now is not required. For these reasons I oppose the demand."

* The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"Sir, it is clearly stated in the explanatory note that Risaldar Major Hamir Singh was granted an Honorary King's Commission with the rank of Honorary Lieutenant with effect from 8th September 1928. That is the reason why this supplementary grant is moved. Under the rules he is entitled to get this sum of Rs. 600 for his kit and equipment required for the rank."

"As regards furniture, a sum of Rs. 4,228 was left unspent in the year 1927-28. It is usual to utilize in the next year the balance of the maintenance grants unspent at the close of the financial year. The Military Secretary is able to reappropriate only a sum of Rs. 728 from the savings in the budget heads under his control. I am, therefore, asking for the money which was already sanctioned by this House for the year 1927-28."

The motion was put and carried and the grant made.

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GRANT XV—POLICE—RESERVED.

* The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move—

‘that the Government be granted a further sum not exceeding Rs. 1,49,000 under Grant XV—Police—Reserved’

“As put down on the paper, this demand provides for the additional appropriation required for the Police department in the current year. From the note which has been placed in the hands of hon. Members they will see that a sum of Rs. 94,000 is required on account of the widespread trouble on the South Indian Railway. A sum of Rs. 10,400 is asked for to meet the increased expenditure on postage, tour charges and purchase of furniture for several police stations. A sum of Rs. 7,000 is required to meet the additional expenditure under ‘26. c. Police—i. District Police—Honoraria’ owing to the recent South Indian Railway strike. It is found that a sum of Rs. 50,000 is required under Non-contract contingencies. Details for this sum are given at page 4 of the explanatory memorandum. A sum of Rs. 33,500 is required under supplies and services. The necessity for other items is given in the printed note. We therefore require a sum of Rs. 2,04,400. As stated in the note, owing to the abolition of the East Coast Special Police a sum of Rs. 55,400 has been reappropriated. I therefore come before the House for a supplementary demand for Rs. 1,49,000.”

* The hon. Mr. T. E. MOIR:—“I second it.”

* Mr. S. SATYAMURTI:—“Sir, with regard to the statements in the explanatory memorandum, I submit this point of order, about the distinction to be drawn between what are known as ‘excess demands’ and what are known as ‘supplementary demands.’ You know that, if money has actually been spent, beyond the amount voted by this House, on any service, that should come before the House as an ‘excess grant.’ It is only in cases where excess expenditure is anticipated but not incurred, the Government can come before the House with a ‘supplementary demand.’ You will notice, Sir, that a demand for a grant of Rs. 1,49,000 is moved before this House, by my hon. Friend, as a supplementary demand. If you will kindly turn to the explanatory note, you will find at page 4, paragraph 2, item (i) ‘the actual expenditure, however, has increased during the last and the current years.’ I submit that itself is self-revealing that that part of the expenditure has been incurred already. Apart from that, these are travelling allowances which should have been paid. I invite your attention to 26. c. Police—i. District Police—Supplies and Services—Item (v) in the same page. ‘These represent the cost of food and transport for the extra police and are estimated at Rs. 28,500. Unforeseen expenses had to be incurred under this head in connexion with the police arrangements during the South Indian Railway strike.’ I submit that also is an item, which, on the face of it, should have been incurred. Again, Sir, at page 5, item (vii) ‘Rs. 5,300 required under this sub-head is due to the purchase of equipment for the Police Hospital at Anantapur.’

“I do not know what other items there are which have already been spent. I have drawn your attention to three items, which, on their face, represent expenditure already incurred.

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"If you will kindly turn to rule 31 of the Legislative Council Rules, you will find that 'when money has been spent on any service for which the vote of the Council is necessary during any financial year, in excess of the amount granted for that service and for that year, a demand for the excess shall be presented to the Council by the Finance Member and shall be dealt with in the same way by the Council as if it were a demand for a grant.' I submit that part at least of these sums, *ex hypothesi*, has already been spent on a service for which the vote of the Council is necessary for the year over and beyond the amount actually sanctioned by this Council. . ."

* The hon. the PRESIDENT:—"Is it during the current year? This demand refers to the previous year."

* Mr. S. SATYAMURTI:—"The rule says, Sir, when money has been spent on any service for which the vote of the Council is necessary in any financial year; it does not matter what year. It is in excess of the amount granted for the service for the year. My submission is, if the Government did spend these sums, the hon. the Finance Member should, after satisfying himself as to the need for the excess demand, come before the House and present this excess demand. Whereas, supplementary demands can arise only in cases where the amount voted is found to be insufficient for the purposes of the current year and in cases of future expenditure not already incurred by the Government. Only in those cases this House can be asked to vote for a supplementary demand. In cases where the money has been spent, I submit it should be in the form of an excess demand and should be moved by the hon. the Finance Member. I submit these points for your considered ruling."

* The hon. the PRESIDENT:—"I wish to know whether these items of expenditure have already been incurred."

* The hon. Mr. T. E. MOIR:—"Mr. President, Sir, as far as the Finance Department is aware this is not expenditure which has already been incurred. We have received no intimation from the Accountant-General or Inspector-General that the total appropriation for the year has been exceeded. I am partly responsible for these supplementary grants not having been put before the Council earlier, my object being to avoid the possibility that later it might be found that this demand was necessary. We have, as the Council is aware, been presenting supplementary demands of this kind and finding afterwards that these were unnecessary as the total appropriation for the department concerned had not been utilized; to that the Council have, from time to time and rightly, demurred. As far as we are aware, the allotment for the year has not yet been exceeded and this demand is to meet expenses which will be incurred in addition to the sanctioned allotment for the current financial year, for which three weeks have still to go. These are the circumstances, and as far as I am aware, there is no indication that the total appropriation has yet been exceeded. It seems to me that this demand would correctly come under the Legislative Council Rule 32 as a supplementary or additional grant."

* The hon. the PRESIDENT:—"I take it that no appropriations have till now been made for these expenses. Am I correct in assuming that no appropriations have been made for these expenses up to the present moment?"

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* The hon. Mr. T. E. MOIR :—"Reference has been made to this point in the note, from which it appears that some appropriations have already been made by the Inspector-General. The Finance Department is entitled to be assured that all reappropriations which could be made had been made and that the allotment sanctioned would be insufficient to meet this demand. After all these careful calculations this demand was put before the House. I believe that, as far as the Finance Department is able to do so, it has satisfied itself that, in order to meet the total expenditure anticipated by the close of the current year, this supplementary demand will be necessary."

* The hon. the PRESIDENT :—"As far as I understand, rule 31 applies to all cases where the total appropriation is less than the grant made by the Council."

* The hon. Mr. T. E. MOIR :—"Yes, Sir."

* The hon. the PRESIDENT :—"The hon. the Finance Member will kindly say whether reappropriations have already been made, and whether the allotment under the head is found insufficient, or whether reappropriations will be made hereafter by the department if the grant is made by the Council now."

* The hon. Mr. T. E. MOIR :—"Sir, I might explain further. Reappropriation can be made from one sub-head to another sub-head only where it is definitely ascertained that a sum can be released from one sub-head to another sub-head for reappropriation. So far as that is possible, the expenditure has been met as stated in the note by such reappropriations but they are not sufficient to meet the charges that will be coming in or to pay all the bills which will come in in regard to the Police Department before the end of the current year. It will therefore be necessary to find money for such items. That is why we are asking the Council to grant this additional sum."

* The hon. the PRESIDENT :—"On the facts stated by the hon. the Finance Member I think this case comes under rule 32 (1)."

* Mr. S. SATYAMURTI :—"As far as reappropriations are concerned, whatever they are, the Finance Department must have full knowledge of the same. It is not open to my hon. Friend to say, under the rules as they stand, that he is not in a position to satisfy the House how much of the demand has been reappropriated and from what head to what head."

"Devolution rule 38 deals with reappropriations by Government. 12-15
There are two classes of reappropriations: one is from one major head to another, which can be done only by the Finance Department and another is from one minor head to another, which can be done by the Member or Minister in charge, but has got to be reported to the Finance Department. P.M.
Devolution rule 38 says: 'The Finance Department shall have power to sanction any reappropriation within the grant from one major, minor or subordinate head to another; the Member or Minister in charge of a department shall have power to sanction any reappropriation within a grant between heads subordinate to a minor head which does not involve undertaking a recurring liability, provided. . .'"

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* The hon. the PRESIDENT :—"As far as I am concerned, Police is a major head and there are no minor heads and all the appropriations under a major head may be made by the Member in charge of the portfolio without the knowledge of the Finance Department."

* Mr. S. SATYAMURTI :—"Provided that a copy of any order sanctioning such a reappropriation shall be communicated to the Finance Department as soon as it is passed.' I am not now concerned with the authority that authorizes the reappropriations as to whether it is my hon. Friend the Home Member or the Finance Member. But the Finance Member should get knowledge as to all reappropriations. I want to know how much of this Rs. 1,49,000 represents reappropriations already made from one head to another head and how much of it represents liability which has already been incurred and which has got to be met by a further vote of this House. It is by no means clear from the Explanatory Note. You will notice at the end. . ."

* The hon. the PRESIDENT :—"As far as the President is concerned, he has only to see whether it is an excess grant or a supplementary demand."

* Mr. S. SATYAMURTI :—"The President must be in full knowledge of the facts to see which is an excess grant. . ."

* The hon. the PRESIDENT :—"The President is not expected to be the Accountant-General. . ." (Laughter.)

* Mr. S. SATYAMURTI :—"The President has got a right to know. . ."

* The hon. the PRESIDENT :—"The hon. the Finance Member has stated that there were reappropriations within the grant and that there was no expenditure incurred regarding the amount for which the demand is now moved."

* Mr. S. SATYAMURTI :—"I want that statement to be examined by you, Sir."

* The hon. the PRESIDENT :—"I am sure the hon. Member is aware of the existence of the Public Accounts Committee whose duty it is to go into the question of these reappropriations."

* Mr. S. SATYAMURTI :—"I would like to draw the attention of the House to rule 33. The existence of an *ex post mortem* remedy, does not prevent the application of an earlier remedy to prevent the disease. . ."

* The hon. the PRESIDENT :—"I think, the moment the Finance Member makes the statement that the expenditure has not been incurred and that the expenditure is yet to be incurred within the course of the year, it is easy to decide whether it is an excess or supplementary grant. The moment he makes that statement, the grant comes within rule 32 (1) and not 31."

* Mr. S. SATYAMURTI :—"May I take it that according to the statement of the hon. the Finance Member, you understand it to mean that not one pie of this Rs. 1,49,000 has yet been spent, but is going to be spent hereafter, although the note gives the other impression? If that is so, I am helpless."

* The hon. Mr. T. E. MOIR :—"Perhaps I might make it a little clearer if I put it in this way. In the budget for the year there is a certain appropriation under the head 26. Police. If the supplementary grant is passed by the House, the appropriation under that head will be increased by Rs. 1,49,000."

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and that will be the total amount at the disposal of the Inspector-General of Police for expenditure. So far as the Finance Department was aware when this demand was framed the amount actually spent under that head had not yet exceeded the total existing appropriation for this demand but it is expected that the total amount spent by the close of the financial year will exceed the total appropriation by Rs. 1,49,000 and therefore we come under Legislative Council Rule 32 (1) for this additional amount. We understand that that additional amount with the original appropriation will cover all the bills that may be presented to the treasury by the Inspector-General in the current year and the reasons why we have to ask for an additional grant are explained in the note."

* Mr. S. SATYAMURTI :—" I now rise to oppose this motion. . . ."

* Mr. BASHEER AHMED SAYEED :—(On being called by the hon. the President) " I move, Sir, that the allotment of Rs. 1,49,000 for additional appropriation under 26. Police be reduced by Rs. 100, to elicit further information regarding the extraordinary expenditure alleged to have been incurred in this department."

* The hon. the PRESIDENT :—" For eliciting information, the hon. Member need not move any token out."

* Mr. BASHEER AHMED SAYEED :—" I thought I could reduce the demand by Rs. 100."

* The hon. the PRESIDENT :—" Not necessary for eliciting information. The question may be put and the hon. the Finance Member or the Home Member may reply."

* Mr. BASHEER AHMED SAYEED :—" I want to know whether the whole amount is meant only for contingencies that have arisen in connexion with the South Indian Railway strike or also for other matters connected with the Police. People have a suspicion that this whole extra expenditure is not due mainly to the South Indian Railway strike, but it must be also due to various other things, especially the visit of the Simon Commission to this Presidency. I would like to know what amount of this excess demand is for meeting the expenditure incurred or to be incurred in connexion with the visit of the Simon Commission and the police arrangements made therefor, as under travelling allowances I have a suspicion that nearly Rs. 94,000 cannot be required for travelling within a distance of 300 or 400 miles in the South Indian Railway ; and I know only a few police men who were transferred from one place to another. There was no extra police employed, no recruitment and no training during that short period and for mere transport from one place to another during that short season there cannot be and ought not to have been such a large expenditure ; and there is no justification for an expenditure of Rs. 90,000. I would like to know whether the amount includes anything more than what has been incurred in connexion with the South Indian Railway strike. So also with regard to the other items. It is very curious that the hon. the Home Member has included everything except plague and hospital charges, under the pretext of the South Indian Railway strike. The South Indian Railway strike was after all a spasmodic affair and it was also not so serious. Of course it is natural for Government to find opportunities to terrify and terrorise people and

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utilize public funds therefor. I would therefore like to have further details with regard to the actual expenditure and the items in detail."

* Mr. S. SATYAMURTI :—" I oppose this motion. I see that the hon. the Finance Member has certainly put it on a clear and sound basis, but the explanatory note certainly does not make that point clear at all. It is confusing to a degree, and I am sure you will agree with me, if you follow this paragraph, as I read one or two sentences from the explanatory note : 'Despite all possible reappropriations within the grant the sanctioned appropriation is found insufficient to meet actual requirements.' Then, if you go to the actual requirements, Sir, the first item is travelling allowances to the District Police. The provision made in the budget under this item is Rs. 14,96,000. The estimate was framed in September 1927 and the actual expenditure has increased during the last and the current years. What I want to know is how much of this Rs. 15,19,000 of the actual expenditure has already been incurred or whether the whole of it has not been incurred. My own suspicion is, I do not want to use a stronger word, that practically most of it should have been spent without the knowledge of the Finance Department, because of the very nature of the expenditure. For example, take travelling allowances, is it suggested that travelling allowance bills are still pending payment and that they have not been paid? The expenditure is mainly due to the widespread trouble in the South Indian Railway which necessitated the employment of a large police force in the affected areas, men having to be moved from one district to another. I want to make one or two criticisms on that. Why should not the South Indian Railway Company pay a portion of this cost? (Hear, hear, from the Opposition Benches.) It is perhaps right that when there is serious danger to private life or private property the State should, if it can, come to the help of private individuals for the protection of life or property, but when it involves continuous and large expenditure of the State's resources, I submit that it is an elementary canon of public finance that the party benefited by the employment of the police force maintained by the taxpayer, should find at least a portion of the cost. I have no doubt in my mind, Mr. President, that the South Indian Railway Company benefited at least as much as the general public by the maintenance of the police force. I know, Sir, that for some days the whole of the South Indian Railway was watched by the police and the officials of the Railway department and a large army of reserves of police constables were stationed at various important stations and moving about from place to place. I want to know why the poor taxpayer should be asked to pay the whole cost of it. I want to ask the hon. the Finance Member to open his eyes and see whether he cannot allocate some portion of it as due rightly from the South Indian Railway Company.

" Moreover, the police have developed latterly an over-anxiety for the display of their force. I am sure, Sir, that although you live in Mambalam, you will have sometimes witnessed in your journey from Mambalam to this place and back, car-loads of police constables with armed rifles, going about the streets of Madras for nearly two or three weeks. Why? For the purpose of protecting the seven Members of the Simon Commission. . . ."

* The hon. the PRESIDENT :—" The hon. Member has introduced the question of the police arrangements during the visit of the Simon Commission. I wish to know whether any of the items mentioned here cover the expenditure incurred during that period?"

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* The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
“ No, Sir. ”

* The hon. the PRESIDENT :—“ I do not think the hon. Member will be in order if he refers to that question. The hon. the Home Member says that the supplementary demand does not refer to any expenditure incurred for that purpose. ”

* Mr. S. SATYAMURTI :—“ I was developing an argument on the tendency of the police to display themselves for unnecessary purposes as was displayed, during the Simon Commission's visit. I am charging the Government for extravagance. As you must have seen with your own eyes, Sir, when Madras was absolutely peaceful and quiet, peace was sought to be disturbed by this very police force. I am suggesting that this expenditure might have been saved, or at least a portion of it, if they had not indulged in this display of unnecessary police force. My argument was only for the purpose of analogy. . . . Sir, I should like to know from the hon. the Home 12-30 Member whether private companies or private individuals, whatever may be the nature of their concern—there is no shadow of doubt whatsoever that the South Indian Railway Company is a private-managed company—are to be allowed to have the use of the police maintained at the expense of the taxpayer, without any payment in return. Is it contended that the South Indian Railway Company is a Government concern ? I hope and trust it will not be so contended. But at the same time, I agree that the travelling public should be protected and to that extent, I agree it is a legitimate demand on the public purse, and we should not grudge sanctioning it. But I know from my personal knowledge, and it will be known clearly if the detailed account of the expenditure is prepared, that the money was used more for the purpose of terrorising the strikers, for the purpose of putting into the hearts of the strikers the fact that they will be punished severely like criminals for their action and that he who strikes work is a criminal, than for the purpose of protecting the interests of the travelling public. Sir, the help of the police force is always on the side of the capitalist as against the employees or workmen whatever their grievances may be or however legitimate their grievances may be. ”

“ Then, Sir, the explanatory note to 26-c. Police—i. District Police—Contract Contingencies—reads almost poetically. It runs thus :— ‘ He has since had repeated demands from the District Superintendents of Police who were in dire straits for want of money to meet increased expenditure on postage, tour charges and purchase of furniture for several police stations. ’ Sir, this certainly takes my breath away. The note continues thus :— ‘ The additional appropriation for which the Inspector-General applied to Government is Rs. 10,400. This was reappropriated from the savings resulting from the abolition of the East Coast special police. ’ Sir, the whole police comes under a major head, and the East Coast special police comes under it ; and according to this supplementary grant it is proposed to spend the amount sanctioned under one item to another. This is a dangerous state of affairs. To do such an act as is proposed to be done now is, certainly, trifling with this House. Government must know what they want. To abolish the service for which the money was asked for and granted by this House and to spend that amount on an item wholly alien to that is, I fear, a serious encroachment on the already truncated financial powers of this House. ’

“ Then comes the subject of ‘ Honoraria ’ to the extent of Rs. 7,000. What are these honoraria ? Are these euphemistically called honoraria ?

[Mr. S. Satyamurti]

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'To be paid to whom? For what purpose? Is it to the agents of those who terrorised the strikers? What does this represent? Is it to be paid in connexion with the strike? If it is, why should Government come with a budget estimate and say 'we want to pay honoraria to these people.'?

"Then comes, Sir, the next item, which perhaps is the only innocent item in the whole demand. It deals with repairs of damages to some police stations caused by the recent cyclone. Then comes our familiar friend, the South Indian Railway Company with a demand for Rs. 28,500, which sum represent the cost of food and transport for the extra police. Sir, this sum is for the food of the police to watch the railway company's property. You will see, Sir, that all this Rs. 1,49,000 so far as the first item is concerned it is not clear, probably it will be about a lakh, then you have seven thousands for honoraria and Rs. 28,500 for food for the South Indian Railway. Thus you will see the bulk of the expenditure is necessitated by the strike. It seems to me that this House should not agree to this demand being voted for. For it is a very large supplementary demand; supplementary demands ought to bear some proportion to the whole demand.

"This very large sum of Rs. 2,04,400 is sought to be brought in as supplementary demand for purposes, most of which relates to the South Indian Railway strike. Under these circumstances, Mr. President, I submit this House cannot support this demand. I therefore declare that this demand should be rejected."

* Mr. K. V. R. SWAMI:—"Sir, I oppose this demand. Of course it is very conveniently put in that greater part of the sum was required for the purpose of defending the interests of the South Indian Railway, and also on account of the strike. Did the Finance Department or hon. the Member in charge of the Finance Department receive this demand for travelling and other allowances after similar demand in connexion with arrangements for Simon Commission. The hon. Member says now that this expenditure was due to the strike, thereby avoiding the real expenditure, namely, that incurred for the Simon Commission. The total amount that was granted for the purpose of travelling allowances during the current year by this House was about 16 lakhs. All this sum was spent; and the hon. the Home Member says he wants $1\frac{1}{2}$ lakhs more. Why, because almost the whole sum had to be spent on the South Indian Railway strike. The hon. Member for University has been saying that the Railway company should pay a portion of it. This may look strange, because whenever private individuals are protected by the police no contribution is asked for. But the Council must be aware of the fact that so far as police help to the railway companies is concerned a contribution is always made by the railway companies for the services rendered by the police department in their interests. And also with regard to building grants a portion of the grant is contributed by the railway companies; and so this additional amount ought to have been asked for from the railway company. Besides that, the total amount granted for the current year under Police is Rs. 1,97,89,300 and the amount now required is $1\frac{1}{2}$ lakhs. Whether it would have been possible for the hon. the Home Member to make up this sum from other sources without asking for it from the Council is the point that the House has to consider. This can be done by curtailing the expenditure on other items. For example, the question of repairs and such other things which are not very urgent may be left over to the next year. But the hon. the Home Member is always sure of the support of this House and therefore he does not think it necessary to

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[Mr. K. V. R. Swami]

curtail the expenditure, and so he comes to this House with a supplementary grant, and this he presumes will readily be granted. Hon. Members of this House will see that an enormous amount of expenditure is being incurred under the head of Police. It is increasing year by year; in 1921 it was one crore and twenty lakhs and at present it is one crore and ninety-seven lakhs. Next year it will be two crores. While the expenditure is increasing like that it is very strange the hon. Home Member has made no attempts to curtail the expenditure.

"He has given one of the best reasons for this demand and that is the strike. Because it is an item of expenditure which cannot be anticipated. But has he made any attempts to meet this by other means? He would have been able to do this, because there was nothing to be done under other heads. It is high time he should practise economy. He should not come to this House for further grants for any and every sum; and therefore I beg hon. Members of this House to refuse this grant and thus show their dislike for further grants under this head."

* Mr. G. HARISARVOTTAMA RAO:—"Mr. President, Sir, I am surprised at the way in which these supplementary grants are hurled at us. The amount required under this head is on account of the South Indian Railway strike as also to meet certain requirements in Anantapur and Bellary. That is a small matter, and there is a principle involved which I desire to object. (A voice: Is not plague a legitimate cause?) Yes, Sir, this supplementary grant is really a plague. It is a strange coincidence that these two things have been combined in this grant. There is a great deal of complaint against the expenditure on the police. I know the hon. the Home Member is the thickest and the largest wall on the treasury bench against which the opposition may strike. But I hope he will appreciate the fact that Government have to protect not only capital but also labour, not only the employer but also the employee. As it is, it has attempted to protect the employer and the South Indian Railway being the biggest employer in South India has come in for a share of material patronage in the way of this protection. Protection of public interest is a different thing from protection of employers. When it is a question of labour and capital, when police arrangements have to be made during strikes, and when the Government have to interfere to keep peace under circumstances where the employer and the employee fight with each other, it is essential that the Government should call upon the employer to bear a part of the expenditure. It must be a part of the policy of the Government to see that the employer pays for the protection he gets, or in other words, for the suppression that the labourer is made to suffer under a Government that is itself capitalistic. The present Government in this country has not been very sympathetic either towards labour or towards the poorer classes. And in all possibility the so-called police arrangement made for the South Indian Railway strike had in a large measure the influence of coercing the labourer into submission to the dictates of the employer. Therefore it is upto a Government like the British Government which puts itself forward as the champion of the oppressed and the depressed classes, to see that they do not appear in these transactions as the supporters of the employers. They must make it clear to the world that whenever trouble arises on account of relationship between the employer and the employee that they do demand a certain portion of the burden to be borne by the employers as such. As between the employer and the employee, a Government probably has to be

[Mr. G. Harisarvottama Rao]

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just. I have no objection to concede that position. But the position of the employee is always very difficult, handicapped as he is by poverty and ignorance. Therefore it becomes the duty of a Government not to undertake lightly expenditure in matters of this nature, without asking the employer to contribute his own share towards the expense. I feel that any person in whom there is the instinct of democracy will be able to understand and appreciate my point. The day has gone when the Government can combine with the employers and give them all the protection that a powerful Government can give to suppress and oppress their employees. Therefore it must be an essential feature of all Government policy to see that labour is adequately protected and that every step in the right direction is taken to see that no facilities are given to the employer to suppress and oppress the labourer even in the name of police protection. The point that I was thinking of even with regard to the question of plague was this. There is a provision asked for for augmenting police or employing special staff of police in view of services to be rendered in plague-affected areas. The Government goes about the wrong way in all these matters. The people have to know more of the dangers in the way of their lives. They have to be educated to take steps to put themselves out of danger. Coercive processes are always dangerous. Even in regard to plague, the police should not be employed in any large measure to enforce plague regulations. I do not know whether the sum demanded here is likely to be utilized for purposes of coercing people into obeying plague rules, but still if there is the least occasion for the use of such police power, it is likely to be most dangerous to the people concerned. Therefore I feel that in asking for a grant for the police on account of plague, the Government must think thrice before they spend this money upon using special police for enforcing plague regulations. Enforcement of plague regulations is best done by non-official agencies and is best carried out by educative propaganda. If the Government had asked for more money to be spent in that direction, I could have understood the demand. But now that the Government comes forward and asks us to give them more money for employing special police in this behalf, I wanted to sound a note of warning in that matter.

"Now, Sir, I must refer to the poor district police superintendents who have not—it is almost a pitiable matter—got money for postage, tour charges and purchase of furniture, etc. I want, Sir, that this House should note the peculiar want in which the police superintendents are said to be at present in regard to postage. They are said to be in need even of postage. I do not know whether the hon. the Home Member wants us to jump to the conclusion from this that all care is being exercised in his department to see that not a pie is spent unnecessarily, and that all economy is being observed in the Police Department and police officers are put to such a trouble as not to be able to get enough of money for postage. It is a real wonder how a Government like this could come forward and ask for supply of money for postage to police superintendents. It is notorious that money is spent lavishly on the Police Department. It is notorious that these officers are very well paid. You must have observed, Sir, a particular reply that the hon. the Revenue Member gave this morning upon the floor of this House. It was with reference to the jamabandi allowances. No question of justice was ever considered in that reply. He said that if there was some saving somewhere, they would be allowed. . . ."

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* The hon. the PRESIDENT : —“ The hon. Member will not be justified in commenting upon an answer given on a different subject. I cannot allow it.”

* Mr. G. HARISARVOTTAMA RAO :—“ Mr. President, Sir, I obey your ruling, but I was just saying that in so far as the Police Department is concerned, the Government appears to be absolutely anxious that every facility should be provided. Plenty of money could be found for this department to spend even at the expense of starving very many other demands which are most essential in the interests of administration and which are most conducive to the proper fulfilment of administration otherwise. I was drawing attention to that particular aspect and therefore I feel that further demands for police—at least they appear to me like that—have been thought of only to strengthen the hands of the department which is capable of a great deal of repression in this country. Except for that reason I do not see why the hon. the Home Member should have asked us to grant such an amount as this, a lakh and 49 thousand, to-day. Really the police have already had a great deal more than they really deserve. And if the money is being asked for to-day in this particular manner, it is also doubtful whether it will be spent in this particular manner. The Home Member has got the power to dispense with this money as he chooses. He has got a carte blanche of power, and he can utilize this amount as it suits his purpose. He has got many purposes and of them the political purposes are the biggest. When the House makes a grant of this nature, it is necessary that this House should be on its guard, and it should decline to make grants that have a special significance with regard to general questions of policy. The South Indian Railway strike is one point that is to be remembered, and the claims of labour must not be overlooked. I therefore feel, Sir, that this grant should not be made, and I oppose it for that reason.”

* The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ Mr. President, Sir, when my hon. Friend Mr. Basheer Ahmed wanted some information about the extraordinary expenditure which we intend to provide for, I suppose he had in his mind the expenditure which we incurred in connexion with the Simon Commission. As I have told you, Sir, the demand for which I now come before the House does not include that.

“ With regard to certain remarks that have been made by the hon. Member for the University, I should just like to say that when there was a strike on the South Indian Railway line, immediately there were many acts of sabotage and there were derailments of trains, etc., so much so that there was a great fear that train service would be stopped and there was also a great deal of fear entertained by the travelling public as to whether they could safely go on their journeys or not. Under these circumstances we thought it was our duty to bring in police force from various parts of the country to be located along the line for about a month or so in order that there may be a feeling of security and satisfaction in the minds of the travelling public and in order to see that the train service was well protected. It was for that purpose and that purpose alone that we brought the police force, but not for terrorising the strikers, as has been suggested by my hon. Friend.

“ With regard to the honoraria of Rs. 7,000, I learn that this amount is to be provided for giving honoraria to a number of police officers who have

[Sir Muhammad Usman]

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done very good service during the strike in giving security and protection to the public. Most of these police officers I think are subordinates.

"As for the remark that has been made by my hon. Friend that we ought to economise the expenditure in the department, I may say that the Government have often impressed upon the Inspector-General the necessity for economy and, as has been stated at page 3 of the memorandum, every effort to economise expenditure has been made by the Inspector-General, but in spite of this there has been an increase over the budget provision on several items. My hon. Friend has quoted the following passage from the memorandum: 'He (the Inspector-General) has since had repeated demands from the District Superintendents of Police who were in dire straits for want of money to meet increased expenditure on postage, tour charges and purchase of furniture for several police stations, etc.' All that goes to show how economy has been practised in the department.

"With regard to the reason why we have to incur expenditure in connexion with the outbreak of plague in Anantapur and Bellary, I may say this. Whenever plague breaks out, we have the police to vacate the houses, to watch and protect the evacuated houses and that is the purpose for which we require the money. I can assure the House that I have been trying to economise the expenditure of the department as much as possible, and most of the expenditure for which I now come before this House has been unforeseen. In the circumstances, I would request the hon. Members to pass this demand."

Mr. W. P. A. SOUNDARAPANDIA NADAR :—"I move that the question be now put."

1 p.m. * Mr. C. V. VENKATARAMANA AYYANGAR :—"Sir, I am afraid that much more than what is necessary has been said about the South Indian Railway strike. The question now is not whether the South Indian Railway strike was a cause of any expenditure. From what has been said, it is clear that that expenditure has already been incurred. The Government have spent the money on it, whether rightly or wrongly. They are not here now to put that question before the House and take its vote on it. They have spent the money and they now want to use it as a reason. The whole question is not whether more money is required for the South Indian Railway strike expenses or whether more money is wanted for other expenses. I think, Sir, the Government must have been able to save at least $1\frac{1}{2}$ lakhs out of $1\frac{1}{2}$ crores. Our point has always been that the police has been a big white elephant, and the hon. Member in charge of that department used to say 'Give us the money, it is not that we will spend the whole money; we will try to economise as much as possible, save as much as possible; it is only with a view to save the time of the House, in order that we may not come to you for supplementary grants, that we want that money.' That was the burden of the speech of the hon. Law Member who was in charge of the police department in previous years. We are not now called upon to see whether that money has been spent rightly or not. We are now to see whether in view of that so-called extraordinary expenditure we should have taken more out of the general police grant already made or from the general revenue which will be a burden on the taxpayer. There is no use of making the general remark that the police department will make their best efforts to curtail the expenditure. The Inspector-General of Police may say, and the Police Commissioner may say that they tried their best

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and were not able to reduce the expenditure. We approach this question from the point of view of compelling the Government to cause retrenchment in these 25 days. They can certainly do it. Apart from travelling allowances and all those questions we do think that it is the duty of the Government to retrench at least $1\frac{1}{2}$ lakhs, and it is on that ground that we are opposing this motion."

* Mr. K. MADHAVAN NAYAR :—" Sir, in opposing this motion, I want the House to realize that by making the grant, the House will be placing a premium upon the sins of omission and the sins of commission of this Government. I say sins of omission because Government want a portion of this money to meet the travelling expenditure of the police force that had to be taken to the place where the strike was going on. If only the Government had handled that situation tactfully, if they had intervened in time, and if they had approached the matter with sympathy, this strike would not have assumed the proportions that it ultimately assumed; and no police force would have been necessary to be taken thither; and it is simply because the Government were guilty of a gross dereliction of duty and because they had incurred expenses to meet a situation that they themselves created, this demand is made. Therefore I say we cannot be a party to encourage them in the sins of omission they were guilty of."

" Then, Sir, they want more money to finance their sins of commission. Their policy is one of repression, they want to terrorize the people. The natural tendency of the people of this country is to obey law and order and not to commit breaches of peace. The various riots, the various disturbances that disturbed the peaceful atmosphere of this province were more due to the mentality of those in power than the inherent mischievous proclivities of the people of this country. I may give an instance in point. I refer to what happened in Madras on the 3rd February last year and the 18th February this year. On the 3rd February, the mentality of the Government made the people believe that in their eyes to beat boycotter of the Simon Commission was a virtue, and because they created this impression in the mind of the people, we had several disturbances in Madras. On the 18th February this year, their mentality underwent a change. They wanted, somehow, to avoid troubles. Therefore it was there were no disturbances on that day. The remedy for these evils is not more money for police, but following the old maxim 'Physician, heal thyself'."

Mr. W. P. A. SOUNDARAPANDIA NADAR :—" I move that the question be now put."

* The motion was put and carried.

* Mr. G. Harisarvottama Rao asked for a poll and the House divided thus :—

Ayes.

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|---|-----------------------------------|
| 1. The hon. Sir Norman Marjoribanks. | 8. Mr. Alladi Krishnaswami Ayyar. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 9. " Hilton Brown. |
| 3. " Mr. T. E. Moir. | 10. " H. A. Watson. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 11. " C. A. Souter. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 12. " A. Mc G. C. Tampoe. |
| 6. " S. Muthiah Mudaliyar. | 13. " C. W. E. Cotton. |
| 7. " Dr. P. Subbarayan. | 14. " V. Ch. John. |
| | 15. " M. A. Manikkavelu Nayakar. |
| | 16. Syed Tajudin Sahib Bahadur. |

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Ayes—cont.

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| 17. Mr. A. B. Shetty. | 38. Mr. U. Ramaswami Ayyar. |
| 18. „ J. Bheemayya. | 39. „ V. Ramjee Rao. |
| 19. „ P. J. Gnanavaram Pillai. | 40. „ B. Ramachandra Reddi. |
| 20. Mahmud Schammad Sahib Bahadur. | 41. Rao Bahadur Bir A. P. Patro. |
| 21. The Zamindar of Singampatti. | 42. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 22. Mr. J. Kuppuswami. | 43. Mr. P. T. Rajan. |
| 23. Subadar-Major S. A. Nanjappa Bahadur. | 44. „ T. K. Chidambaranatha Mudaliyar. |
| 24. Mr. K. Krishnan. | 45. Rao Bahadur S. Ellappa Chettiyar. |
| 25. „ N. Siva Raj. | 46. Khan Bahadur S. K. Abdul Kazack Sahib Bahadur. |
| 26. Rao Sahib L. C. Guruswami. | 47. Muhammad Khadir Mohidin Sahib Bahadur. |
| 27. Mr. V. I. Muniswami Pillai. | 48. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 28. „ W. P. A. Soundara Pandia Nadar. | 49. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 29. „ S. Venkiah. | 50. Rao Bahadur B. Muniswami Nayudu. |
| 30. Rao Sahib R. Srinivasan. | 51. The Zamindar of Mirzapuram. |
| 31. Mr. C. E. Wood. | 52. Mr. A. V. Bhanoji Rao. |
| 32. „ F. E. James. | 53. Diwan Bahadur P. Kesava Pillai. |
| 33. „ R. J. C. Robertson. | 54. Mr. S. H. Slater. |
| 34. „ H. F. P. Hearson. | 55. „ P. Siva Rao. |
| 35. „ S. N. Dorai Raja. | |
| 36. „ S. Arpudaswami Udayar. | |
| 37. The Zamindar of Kallikota. | |

Noes.

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| 1. Mr. P. C. Venkatapati Raju. | 14. Mr. P. Anjaneyulu. |
| 2. „ R. Srinivasa Ayyangar. | 15. „ A. Parasurama Rao. |
| 3. „ S. Satyamurti. | 16. „ T. Adinarayana Chettiyar. |
| 4. „ C. V. Venkataramana Ayyangar. | 17. „ P. Bhaktavatsulu Nayudu. |
| 5. „ J. A. Saldanha. | 18. „ A. Kaleswara Rao. |
| 6. „ G. Harisarvottama Rao. | 19. „ C. N. Muthuranga Mudaliyar. |
| 7. Basheer Ahmed Sayeed Sahib Bahadur. | 20. „ K. V. Krishnaswami Nayakar. |
| 8. Mr. C. S. Govindaraja Mudaliyar. | 21. „ K. P. V. S. Meera Ravuttar Sahib. |
| 9. Abdul Hameed Khan Sahib Bahadur. | 22. „ C. Venkatarangam Nayudu. |
| 10. Mr. L. K. Tulasiram. | 23. „ A. Ranganatha Mudaliyar. |
| 11. „ K. V. R. Swami. | 24. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 12. „ D. Narayana Raju. | 25. Mr. C. R. Parthasarathi Ayyangar. |
| 13. „ K. Madhavan Nayar. | 26. „ R. Nagan Gowda. |

Ayes 55.

Noes 26.

The closure motion was carried.

The demand was then put to the House and carried.

* Mr. G. Harisarvottama Rao demanded a poll and the House divided thus :—

Ayes.

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|---|---|
| 1. The hon. Sir Norman Marjoribanks. | 15. Mr. M. A. Manikkavelu Nayakar. |
| 2. „ Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 16. Syed Tajudin Sahib Bahadur. |
| 3. „ Mr. T. E. Moir. | 17. Mr. A. B. Shetty. |
| 4. „ Diwan Bahadur M. Krishnan Nayar. | 18. „ J. Bheemayya. |
| 5. „ Mr. M. R. Seturatnam Ayyar. | 19. „ P. J. Gnanavaram Pillai. |
| 6. „ S. Muthiah Mudaliyar. | 20. Mahmud Schammad Sahib Bahadur. |
| 7. „ Dr. P. Subbarayan. | 21. The Zamindar of Singampatti. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 22. Mr. J. Kuppuswami. |
| 9. „ Hilton Brown. | 23. Subadar-Major S. A. Nanjappa Bahadur. |
| 10. „ H. A. Watson. | 24. Mr. K. Krishnan. |
| 11. „ C. A. Souter. | 25. „ N. Siva Raj. |
| 12. „ A. McG. C. Tampoe. | 26. Rao Sahib L. C. Guruswami. |
| 13. „ C. W. E. Cotton. | 27. Mr. V. I. Muniswami Pillai. |
| 14. „ V. Ch. John. | 28. „ W. P. A. Soundara Pandia Nadar. |
| | 29. „ S. Subrahmanya Mooppanar. |
| | 30. „ S. V. Vanavudaiya Gounder. |

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Ayes—cont.

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| 31. Mr. S. Venkiah. | 46. Mr. T. K. Chidambaranatha Mudaliyar. |
| 32. Rao Sahib R. Srinivasan. | 47. Rao Bahadur S. Ellappa Chettiyar. |
| 33. Mr. E. C. Wood. | 48. Khan Bahadur S. K. Abdul Razaek Sahib Bahadur. |
| 34. " F. E. James. | 49. Muhammad Khadir Mohideen Sahib Bahadur. |
| 35. " R. J. C. Robertson. | 50. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 36. " H. F. P. Hearson. | 51. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 37. Rajkumar S. N. Dorai Raja. | 52. Rao Bahadur B. Muniswami Nayudu. |
| 38. Mr. S. Arpudaswami Udaiyar. | 53. The Zamindar of Mirzapuram. |
| 39. The Zamindar of Kallikota. | 54. The Kumara Raja of Venkatagiri. |
| 40. Mr. U. Ramaswami Ayyar. | 55. Mr. A. V. Bhanoji Rao. |
| 41. " V. Ramjee Rao. | 56. " S. H. Slater. |
| 42. " B. Ramachandra Reddi. | 57. " P. Siva Rao. |
| 43. Rao Bahadur Sir A. P. Patro. | |
| 44. Diwan Bahadur P. C. Ethirajulu Nayudu. | |
| 45. Mr. P. T. Rajan. | |

Noes.

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| 1. Mr. P. C. Venkatapati Raju. | 15. Mr. A. Parasurama Rao. |
| 2. " R. Srinivasa Ayyangar. | 16. " T. Adinarayana Chettiyar. |
| 3. " S. Satyamurti. | 17. " P. Bhaktavatsalu Nayudu. |
| 4. " C. V. Venkataramana Ayyangar. | 18. " A. Kaleswara Rao. |
| 5. " J. A. Saldanha. | 19. " C. N. Muthuranga Mudaliyar. |
| 6. " G. Harisarvottama Rao. | 20. " K. V. Krishnaswami Nayakar. |
| 7. Basheer Ahmed Sayeed Sahib Bahadur. | 21. " K. P. V. S. Meera Ravuttar Sahib. |
| 8. Mr. C. S. Govindaraja Mudaliyar. | 22. " C. Venkataraman Nayudu. |
| 9. " Abdul Hameed Khan. | 23. " A. Ranganatha Mudaliyar. |
| 10. " L. K. Tulasiaram. | 24. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 11. " K. V. R. Swami. | 25. Mr. C. R. Parthasarathi Ayyangar. |
| 12. " D. Narayana Raju. | 26. " R. Nagan Gowda. |
| 13. " K. Madhavan Nayar. | |
| 14. " P. Anjaneyulu. | |

Neutral.

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| 1. Diwan Bahadur P. Kesava Pillai. | 3. The Zamindar of Gollapalli. |
| 2. Mr. Ramanatha Goenka. | |

Ayes 57. Noes 26. Neutral 3.

The demand was carried and the grant made.

GRANT IX—GENERAL ADMINISTRATION—LEGISLATIVE BODIES—RESERVED.

* The hon.*Sir NORMAN MARJORIBANKS:—"Mr. President, Sir, on the recommendation of His Excellency the Governor, I move

"that the Government be granted a further sum not exceeding Rs. 100, under Grant IX—General Administration—Legislative Bodies—Reserved."

"This is a token motion, Sir, as the amount for which this is intended can be met by reappropriation. But under the new Legislative Council Rule, a token motion can be made where any new service not included in the budget is proposed the cost of which can be met by reappropriation. Sir, the Government first sanctioned to the Committee, which this Council elected for conferring with the Statutory Commission, travelling and daily allowances at the rates admissible to them as Members of the Legislative Council. Subsequently representations were made that this was insufficient as their employment on this Committee prevented them from attending to their own affairs and thus involved them in greater expenditure than ordinary attendance at the Council or a Select Committee would entail. It was also pointed out that two other Provincial Councils have granted increased allowances to

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their Members on such committees. The Government, therefore, considered the whole matter and came to the conclusion that it would be reasonable to give them Rs. 40 plus Rs. 10 already sanctioned, so that they could attend to this business without suffering any pecuniary loss. It is to get the approval of the House for the grant of this increased allowance that this token motion is moved."

* The hon. Mr. T. E. MOIR :—" I second it."

1-15
p.m.

* The hon. the PRESIDENT :—" The question is ' that the Government be granted an additional sum of Rs. 100 under Grant IX—General Administration—Legislative Bodies—Reserved '."

* Mr. R. SRINIVASA AYYANGAR :—" I beg to oppose this motion as I think that the cut motion given notice of by me is technically inadmissible. Therefore I take this opportunity of opposing this motion as it stands at present.

" I should like, with the leave of the House, to give a brief—a short—history of the circumstances connected with this motion, and I will try as much as possible not to step into the regions of irrelevancy. The House may be perfectly aware of the fact that in January 1928 a motion was carried by an overwhelming majority of this House that the House cannot co-operate with the Simon Commission as it was then constituted. Later on the then Leader of the Opposition, Mr. Swami Venkatachalam Chetti, sought the leave of the House to bring a censure motion against the Chief Minister on the ground that he was found co-operating with the Simon Commission in utter disregard of the wishes of this House. He was not able to secure the necessary majority with the result that failure on the part of the Opposition to secure a majority was considered as an indication of the mind of the House that it was prepared to reverse its previous decision or that the House was willing to go back on the resolution passed by it previously. This construction was placed upon it with the result that two hon. Ministers had to resign their places from the Cabinet. Later on, on the 3rd of September of last year, the Leader of the House, Mr. Marjoribanks, brought a motion on the floor of this House for the constitution of a Committee to consist of seven elected members. After a great deal of heat, debate and discussion, it was carried with some amendments of a substantial or unsubstantial nature, it is not necessary to say.

" Probably, I am right in saying that the majority of the members of this House who voted in favour of the motion thought that it was a great honour to serve on the Committee and from their point of view it carried with it a certain amount of dignity and prestige. But now what are the facts. At that time there was no promise of any increased travelling allowance for these seven (saptha rishis) nor was there any idea to compensate them for the extra burden thrown upon them or to compensate any loss or inconvenience which a continuous sitting of the Committee in Madras or elsewhere was likely to entail. But so far as we, the Swarajists, were concerned we were under the impression that as far as travelling allowance was concerned they were to be treated like ordinary members of the Legislative Council entitled to the travelling allowance then in force. I have no doubt that the seven gentlemen (the saptha rishis) who were elected by a majority of this House, though we the Swarajists refrained from taking part in the ballot, took it more as an honour to themselves than evaluating their services in the light of rupees, annas and pies. But that was not to be.

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"Some months ago there was some rumour afloat that these gentlemen have been asking for better rates of travelling allowance. On the floor of this House, questions after questions were raised and interpellations were put to the hon. the Revenue Member and he gave us only a bland or if, I may say so, a non-committal reply. The Explanatory Note however confirms the suspicion we had and bears out to a certain extent the rumours that reached us. What does the Explanatory Note show? It shows that the Government at the outset had no idea of granting them more allowance than is allowed to Members of the Council. It goes on to say 'that the Committee has represented that the study of questions involved in their present duties presents a much more onerous and exacting task than the ordinary duties of a Member of the Legislative Council and that in the months of February and March their time will be so occupied with their Committee that they will not be able to attend to their own private business or profession at all.' There was no ban on these seven elected members. Even now there is no compulsion that they should serve on the Committee. If after having got into the Committee, they find their purse affected professionally or otherwise, the only honourable course for them is to say good-bye to the Committee and say 'We shall have nothing to do with it.' That would be an honourable course for these gentlemen to take rather than accept the post and then ask for more saying 'Well, we do not care for the outside public but let us have a satisfactory sum. That would give us some comfort or consolation. We do not want to make any sacrifice. Let there be adequate compensation. Give us from the Public Exchequer Rs. 40 extra.' That, I submit, is a most undignified and highly improper course on the part of the hon. Members of this House to follow. They should have foreseen all these things. At the time when they took up the office there was no promise of any kind. It is not proper now to impose a burden on the Government and on the tax-payer. This is a very bad precedent. If they are satisfied with Rs. 10, all right. They may consider it a pittance but from the tax-payers' point of view it is a great sacrifice. There is no compulsion. There is also no obligation, however, moral, legal, statutory or otherwise, on their part to continue a minute longer as members of this Local Committee and therefore we want to convey to this House our feelings in this matter, that they shall not get this.

"One word more, Sir, and I shall be done. I expect these seven gentlemen, at any rate, not to vote in favour of this motion because they are the gentlemen who are directly and may I add pecuniarily interested in the result of this motion. I appeal, therefore, to them and also to the other sections of this House to preserve and maintain the honour and the dignity of the House.

"In paragraph 3 of the Explanatory Note it is stated that 'the expenditure during the current year on account of the travelling and daily allowances of the Members of the Madras Provincial Committee at the rates proposed by the Government is estimated at Rs. 22,500.' It is not a flea-bite. It is fairly a large sum.

"I know the mind of this House. This is not a small matter likely to commit the Government only to a few thousands. What is to become of this Rs. 22,500?

"Then, again, Sir, I have one precedent in my favour. The Government in their Explanatory Note say 'This involves on them considerable pecuniary loss for which payment of travelling allowance and daily allowance at the

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usual rates will be wholly inadequate compensation.' Well, Sir, so far as we lawyers are concerned, the lawyer members of this House are being put to a heavy loss but on that ground have we been asking the Government to increase our travelling allowances and to increase our daily allowances? But if we want to serve the country, we must be prepared to make some kind of sacrifice. We cannot have both ways. It is stated that these considerations have been recognized in the case of the Indian Central Committee and the Committee of two other provinces. This increase was allowed only in those two provinces and the others seven in number are either against this increase or have come to no conclusion. At any rate, as things stand at present, only two out of seven Provincial Councils appear to have tackled this question. Two councils can only represent a minority. For reasons with which I am not familiar they seem to have agreed to an increase in the travelling allowance and the other Councils have not moved their little finger in the matter. On this ground alone apart from anything else, I submit that this motion be turned down. I oppose the motion."

* Mr. C. S. GOVINDARAJA MUDALIYAR :—" My hon. Friend has traversed a good deal of ground bearing on the history of the constitution of this Committee. It is impossible not to take notice of the half-hearted way in which the Leader of the House moved this motion or the underlying sneer that one can detect behind the speech that he delivered in support of this motion. These distinguished gentlemen under the pretence of discharging a patriotic duty had shouldered a responsibility of conferring with the unwanted Members of the Commission and now it is belated on their part to come and say ' We have rendered a service and therefore the coolie wages that are now proffered to us are anything but sufficient and not commensurate with the work we are putting forth.' It is the experience of most of us that when we engage a conveyance that the people who deal in this conveyance business are glad to have an opportunity given to them but at the end of the journey they turn round upon us and say ' We had not bargained for this small pittance you are going to give us. We think you have enough good cash in your purse and it is not commensurate with your honour that for our arduous duties of having traversed so many roads and having done so many other things that you should compensate us only to a small extent.' Their present attitude and their presenting the begging bowl to this hon. House is not different from being at a par with that suggestion."

" We have heard of the experience of Samuel Pickwick, Esq., when he made that ride in a cab, when he was rescued by that gentleman of the green coat. On the way to his destination Mr. Pickwick in all his innocence was asking a number of questions regarding things interesting on the route, and the cabman with all the urbanity was telling him more things than were true and more things than were necessary to the astonished delight of the estimable gentleman Pickwick and at the end of the journey when the esteemed gentleman handed the usual customary charge, the cabman turned round and charged him with under payment, with the result that there was a scuffle between him and the unfortunate gentleman which put him under a very great physical discomfort and but for the rescue of him by that gentleman of the green coat things might have gone on worse."

* The hon. the PRESIDENT :—" The hon. Member will continue his speech after the lunch interval."

The House then adjourned for lunch.

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After Lunch (2-30 p.m.).

* The hon. the PRESIDENT :—"The Council will now resume discussion of supplementary demand on Grant IX."

* Mr. C. S. GOVINDARAJA MUDALIYAR :—"Mr. President, I was alluding to the clamour of a particular class of labourer pleading for higher wages. The claim now put forward on behalf of these seven who are now labouring or still propose to labour for the good of the country is that their duties are more onerous and exacting than the ordinary duties of a member of the Legislative Council especially during particular months and that the pecuniary loss that they sustain should also be compensated. It will be interesting to note what the value or appraisalment of these labours is by the head of that Joint Conference, Sir John Simon himself. Speaking in reply to an address or a couple of addresses presented to him on the cool heights of Ootacamund . . ."

* The hon. the PRESIDENT :—"I am unable to understand how that reference is relevant to the question of allowance to the Members."

* Mr. C. S. GOVINDARAJA MUDALIYAR :—"I am speaking of the appraisalment of their labour. They say or the hon. the Leader of the House says in the note explaining this demand that their present duties present a much more onerous and exacting task than . . ."

* The hon. the PRESIDENT :—"However ingenious it may be, it is not for payment to be made for their service. It is only for allowances to be given to them that this demand has been moved."

* Mr. C. S. GOVINDARAJA MUDALIYAR :—"Sir, I am reading only from the Explanatory Note and not even adding anything to it. It is stated in the note 'that the study of the questions involved in their present duties presents a much more onerous and exacting task than the ordinary duties of a member of the Legislative Council and that in the months of February and March their time will be so occupied with their Committee that they will not be able to attend to their own private business or profession at all. This involves on them considerable pecuniary loss for which payment of travelling allowance and daily allowance at the usual rates will be wholly inadequate compensation.' Therefore, Sir, I am comparing briefly the value that they put upon their own services with the value put upon it by the Chairman of the Joint Conference, Sir John Simon. As I was saying, he, in a few words has appraised their value like this: 'No one should regard the Statutory Commission, or its colleagues, as though we were settling and deciding the constitution of British India.' That part of the function has been truly done by the hon. the Leader of the House when he presented the Government memorandum. Therefore that function of settling or deciding the constitution of British India has not, or that part of British India which relates to Madras Presidency has not devolved, and did not devolve upon the seven members of this hon. House. Therefore, that part of the case falls on merits.

"Sir, I wish to say a word about the depressed classes, one member of whom is on this special committee of the House. Cruelly enough, Sir John Simon brushes aside their claims with this observation: 'Their grievances rest more on the social side than on the political side and he warned them to make no mistake in realizing that the problem of the depressed classes was to a large extent not political but social.'"

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* The hon. the PRESIDENT :—"I am afraid the hon. Member is not quoting relevant portions."

* Mr. C. S. GOVINDARAJA MUDALIYAR :—"Sir, in the latter portion of his remarks or reply, Mr. President, he says that they must depend more upon the growth of citizenship rights of their fellow-citizens and not upon the labours of a Commission."

* The hon. the PRESIDENT :—"I am afraid the hon. Member is not in order in referring to it."

* Mr. C. S. GOVINDARAJA MUDALIYAR :—"Mr. President, one of the reasons put forward by the Leader of the House is that the amount of expenses will be something like Rs. 22,500. It is very ingeniously put that the expenditure during the current year on account of travelling and daily allowances will be about Rs. 22,500. We are not sure that this amount is the maximum that will be exacted from the public purse (Mr. S. Satyamurti: Hear, hear.), because the Leader of this party has made proposals and has been in correspondence with the presidents of the various local committees to have a conference at Delhi to which all those people may go on a jolly trip and spend several days. There is also a proposal to spend the summer vacation in England and that might mean a large expenditure. All these things are not put before us. We are asked by the Leader of the House adroitly to sanction a token motion for a hundred rupees which means that if the House passes it, it gives its approval for whatever expenditure may be incurred on behalf of this Provincial seven. Therefore it is a dangerous thing to agree to this token motion. Not only this sum of Rs. 22,500 will be spent this year, but substantial sums will be required for the coming financial year for expenditure on their voyage, equipment, etc. on their way to England. After all, to what purpose is all this expenditure incurred? They have not got to do anything particular. Sir John himself has stated that the Parliament and certain Indian representatives from India who are not connected with any of these committees are, after all, to settle the future constitution of India. Therefore, it is absolutely clear that the labours of these people are going to be wasted labour and that the tax-payers' money is going to be spent for nothing at all. Further, Sir, no cogent reasons have been put forward why these gentlemen who undertook this job without any promise of remuneration should get this."

"Referring to the division list, Mr. President, taken when this House adopted the resolution that the Viceroy be told that this House has no confidence in and will not in any way co-operate with the Simon Commission, I find amongst people who voted for this the names of Messrs. Kumaraswami Reddiyar and Siva Rao."

* The hon. the PRESIDENT :—"Order, order. I allowed Mr. Srinivasa Ayyangar to refer to the previous proceedings in order to refresh the minds of hon. Members. But I do not think the hon. Member will be in order in referring to the division list and saying who voted one way and who the other on that occasion. The motion on which he is speaking refers only to the question of allowances."

* Mr. C. S. GOVINDARAJA MUDALIYAR :—"I bow to your ruling, Sir. My only point in referring to it was to show how things have changed."

* The hon. the PRESIDENT :—"The hon. Member is not right in referring to it again."

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* Mr. C. S. GOVINDARAJA MUDALIYAR :—“ When they agreed to serve on the Committee, they did not bargain or ask for payment. I will not refer to the resolution moved in . . . ”

* The hon. the PRESIDENT :—“ When I ruled him out of order, the hon. Member was referring to the vote of January 1928.”

* Mr. C. S. GOVINDARAJA MUDALIYAR :—“ Yes.”

* The hon. the PRESIDENT :—“ But they were appointed in September 1928. The hon. Member may refer to that.”

* Mr. C. S. GOVINDARAJA MUDALIYAR :—“ That is what I am doing.”

* The hon. the PRESIDENT :—“ There was no division list then.”

• • Mr. C. S. GOVINDARAJA MUDALIYAR :—“ I am aware of it. Sir, I was saying that when the appointment of the seven took place, it was understood that with their changed angle of vision when they accepted this responsibility of co-operating with the Commission that was coming out to settle the future constitution of India that they did it from an utter sense of patriotism. But now it has changed into one of commercialism. If this House had been made aware of their future intentions of asking for enhanced wages, then the mood of the House might have been different and the vote of the House, if it had been divided on the question, might have been different. Therefore, it is unfair to the House to come before it and say ‘ We have done so much. It is *factum valet*. Therefore you should pay us a higher rate than you ever bargained for.’ Times have changed and it is a matter not for congratulation that eminent Members of this House should come forward with this begging bowl and ask the House to pay them more than what the merits of the case entitle them to or the circumstances require. In times of yore, the bargain was struck at a low figure of 30 silver pieces, but the times have changed and the depreciation in the value of silver makes it obviously possible for them to put the value at 50 pieces per day. I appeal to every part of this House, Mr. President, to realize that this demand is inequitable and that they must turn it down with the determination of the trustees, that they are, of the tax-payers’ purse.”

* Mr. A. KALESWARA RAO :—“ I oppose this motion both on principle and on merits of the case. On principle I oppose it as a Member of the Congress Party, because we are opposed to the formation of any committee at all to co-operate with the Simon Commission. I do not want to adduce any argument in support of that position, because these arguments have been repeated from time to time both in and outside this House. Going into the merits of the question, I submit that it is now sought by the Government to increase the daily allowance of these seven hon. Members who have sought with a great deal of zeal and enthusiasm to become Members of the Provincial Committee of the Simon Commission. The reasons urged to increase the daily allowance of these Members are (1) that their task is onerous and exacting and (2) that they are losing their income because of their being unable to attend to their professional duties. It is proposed that for these two reasons they ought to be paid some compensation. With regard to the onerous and exacting nature of the task that these gentlemen have to perform, I do not know what that great and tremendous task is. Of course, travelling in special trains along with the Simon Commission, being garlanded by got-up deputations, attending tea parties and other social functions—all these things may be very onerous for them to discharge. Here and there,

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probably more often, the sight of black flags and also cries of 'Go back' may be very irksome and exacting to the brains of these gentlemen and therefore really we must sympathize with them and give them some compassionate allowance. It may be that these gentlemen have accepted a task which is very unpopular. It is not palatable to their constituencies and that itself is a very irksome task to them. Even if they do not agree with me that their constituencies are against their accepting the membership of the Committee, I ask why should these gentlemen be paid more. We are representatives of the people. When we went to elections, we gave them pledges that we were prepared to make the necessary sacrifice of our time, energy and capacity and to serve the interests of the people in all the capacities that we would be called upon to do by virtue of our membership of the Legislative Council, I mean both in the Legislative Council and in all matters supplemental to the work of the Legislative Council. It is only as Members of the Legislative Council and as representing the majority view, whatever might be the reasonableness or otherwise of the majority view, that these seven gentlemen have become Members of the Provincial Committee, are travelling and are doing all kinds of work that are necessary for a Member of a Commission to do, viz., sifting of evidence, cross-examining the witnesses and reading documents. This is the same thing that we are doing as Members of Select Committees, the Finance Committee, Public Accounts Committee, etc. Therefore I think it is a breach of faith to the electorates which we represent that we should demand an increase of allowance. Regarding the argument that this demand is made by way of compensation for the loss sustained by the Members on account of their being unable to attend to their professional duties, I would point out that we have come here only after agreeing that we are prepared to undergo all such losses, and also that we are prepared to serve on any committee on which we might be called upon to serve. Under these circumstances, I should think that the claim made on behalf of these Members is beneath the self-respect of the Committee itself. It is not self-respect to beg the Government to increase one's allowance. After all, Rs. 40 is either too much for people who are not able to get so much, or too low for those who are earning more in their profession as is the case in the case of some leading lawyers. I do not know on what standard this Rs. 40 is put there. Therefore, I think it is not self-respect if these Members were to demand more allowance. If they cannot afford to spare their time, let them resign and join our ranks and we shall call them patriots, heroes and so on. What is the meaning of their seeking to be elected and then asking for more allowance? What competition there was between one gentleman and another when they sought the vote of the Members of this House for membership of the Committee! and now as soon as they went in they have begun to clamour for more allowance, and the Government come forward with this proposal, of course, in the hope that somehow or other, by hook or by crook, whether their demand is reasonable or otherwise, they would be able to carry through their measure. I should think that this is a bribe to the Members of the Committee for the unpopular business which they are doing. I therefore strongly oppose this motion."

* Mr. P. ANJANEYULU :—" I feel somewhat embarrassed to have to observe that this demand is good neither for those who ask for it nor for those who grant it. These gentlemen have put us in an embarrassing situation, first by accepting membership of the Committee and then by making a demand of this nature. Those of us who represent certain constituencies and are fully

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responsible to them were not at all prepared to accept membership of the Committee, the mandate of our constituencies being that we should in no manner co-operate with or help the Simon Commission or the Committees who are helping them. In that view we feel embarrassed to give our vote in favour of this demand. For those who have elected these hon. Men, for those who come forward with this demand at this late stage and for those who are somewhat, not silver but brazen, to the public opinion of this country it may appear that these men should be paid, for their onerous task, some consolation, prize or compassionate allowance as my hon. Friend from Bezwada put it. If the Government thought that these men should be compensated for their work, then the Government ought to have come forward with their demand for Rs. 50, or Rs. 100, or whatever they thought fit, at the beginning of things. That would have been more generous for the Government and more decent for the Members to accept it. Now at this stage to come forward with a proposal of this nature is neither honourable nor graceful of those who ask for such allowance or for those who propose it. Was it that this Government did not consult other Provincial Governments or the Central Government as to how much allowance they should pay when they were making their proposals? All I can say is that it is after all the people's money that Government want to pay to the Members as allowance and that they (Government) and hon. Members opposite should not think that they are paying from their own pockets. If at one time they were convinced that the daily allowance given to hon. Members of this House was sufficient, I ask, is it the impertinence of the Committee Members that makes them go further than their old proposals now? It is said in the explanatory memorandum 'They have pointed out that these considerations have been recognized in the case of the Indian Central Committee and the Committees of at least two other Provincial Councils.' I can sympathize with those hon. Gentlemen that have acted against the wishes of the nation. They want to be on a par with the Committee Members of other provinces who have likewise asked for a higher allowance. If the Government or these Members thought that the allowance given to them was too low, the Government should have brought forward their proposal at the beginning of things and not come forward with their demand at this stage which, to say the least, is indecent and is wanting in grace. There seems to be some higgling about it or bargaining inasmuch as they come forward with their proposal just now. Under these circumstances we have no other go but to reject this demand, if it is pressed. I would therefore advise those hon. Members for whom this demand is being made to intimate to the hon. the Leader of the House not to press the demand at all. For these reasons, I find it incumbent upon me to oppose this motion."

Mr. B. RAMACHANDRA REDDI :—"To repeat the oft-quoted expression of my hon. Friend Mr. Srinivasa Ayyangar, our friends, in so far as they have spoken, have absolutely no case made out in their favour. A committee has been appointed in accordance with the resolution that was passed on the floor of this House on the 4th September 1928, and the first clause of that resolution provides: 'that the representatives of the Select Committee should be allowed absolutely the same status and powers as regards examination of witnesses and access to confidential papers and documents.' (Hear, hear: 'No salaries.') According to that resolution the Council went to elect a committee and the committee thus elected have been given all the privileges that have been mentioned in clause (a) of that resolution.

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"They had access to confidential records; they have been given the privilege of examining witnesses just like the Members of the Central Committee and the Members of the Simon Commission. The resolution passed by a democratic body like this has been accepted and given full effect. Any Member of any democratic institution like this ought to feel that, once a decision has been reached by the Council, it should automatically be given effect to. We have had obstruction here and there. If those Members who have opposed this grant so far have got in their mind the idea of obstructing the administration, I would have no complaint against them. We find here and there co-operation. Some hon. Members have been expressing that they will co-operate with the Government by accepting office long before we have any hope of provincial autonomy . . ."

* The hon. the PRESIDENT:—"I am sorry I am not able to follow how this is relevant."

MR. B. RAMACHANDRA REDDI:—"Now, Sir, if obstruction is not their game and if co-operation is offered by them in all seriousness, I find no reason why they should oppose this motion at all. Every one knows how arduous the task of the Committee has been. They have spent long days and longer nights in discussions and in study of the vast literature that has been placed before them. I feel very strongly and sincerely that they have sacrificed a good deal of their time and energy in furthering the cause that has been placed in their hands by a resolution of this House."

"Objection is taken to grant the amount that has been asked for the Provincial Committee. They have not made any extravagant demand on the purse of the province. They have asked only for equal status with the Members of such other committees. They have asked only for an allowance of Rs. 50 and not more. I know there are several Members of the Committee who will be able to earn several times more than that amount every day; yet they have been working just for the sake of what they thought to be their duty. It was never intended to be a remunerative affair at all. It is not a bribe at all, neither does it indicate any want of sacrifice on the part of those Members. There has been a good deal of sacrifice on their part. If lessons have to be taken in self-sacrifice, it is certainly not from my hon. Friend, Mr. Kaleswara Rao. The amount that is asked for is not an additional provision that is going to be sanctioned by the House. As has been pointed out in the explanatory note placed on the table of the House, the expenditure is going to be met only from the savings of Rs. 25,000 sanctioned for the travelling allowances allowed for legislative bodies. Even when the Provincial Committee passed a resolution on that subject, I learn they had in mind mostly the question of principle and dignity and not the question of remuneration at all. To safeguard the dignity of the representatives of the august House it is but right that we should vote for this sum so that it will be in keeping with the dignity of the Committee as well as this House. We have already heard that two provinces have already passed a resolution to allow the same scale of allowances, the Punjab and the United Provinces."

"Those who have spoken of self-sacrifice ought to remember several moves of this Council regarding travelling allowances. You know, Sir, very well that a motion was moved and accepted by all that daily allowance should be given to Members for one day before and one day after the meeting days of the Council. That was allowed very easily by hon. Members of this House. As it is suggested to me, the move came from the Swarajist

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benches. I think, Sir, the motion was moved by the hon. Member, Mr. Saldanha. I take it that Mr. Saldanha is a member of the Swarajya Party." (Voices: "Not then.")

"Further there was another move in this Council that daily allowance should be given to local Members. I certainly think that a sum of Rs. 10 will not go a great way to enrich them. It was in keeping with the dignity of the House. Basing his argument on that principle, the hon. the Leader of the House moved the motion and it was accepted by the Council. There was, some time back, some discussion in this House about the reduction of the rate of travelling allowance given to hon. Members. I know very well there were some lukewarm people here who did not care what the result of that discussion would be. But there were others here who were anxious to see that the present rate of allowance was maintained. The question of self-sacrifice was not raised by my hon. Friends at all then. All I can say is that the House must be prepared at all times to safeguard the privileges of this House and in so doing they should not care for a few rupees more here and there to be cut from their allowances. I may repeat once again that this is not going to make their financial position any the better; I should certainly say that, if there is any decrease in the amount of allowance that is going to be allowed to them, it will be beneath the dignity of the Members of the House who represent this House on the Committee."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"Mr. President, Sir, I rise to oppose the motion. I do so entirely on a question of principle and not with reference to any political considerations at all. When this House elected, by a majority, this Committee to co-operate with the Simon Commission, I believe the Members so elected and the House itself were certainly under the impression that the usual rate of travelling and other allowances that have been in vogue up to now will apply in their cases also. Surely, those Members themselves or the Government, had they thought that their labours required higher scale of remuneration, should have given us an indication of what they meant to do. To come before the House now and say that the usual scale of allowance allowed to Members of this Council serving on committees is insufficient in this particular case is an argument which we cannot at all accept."

"Supposing, Sir, that the Government entered into a solemn contract for a certain work at certain rates, and supposing that the contractor after starting the work and finishing half of it put in an application for increasing the rates, the Government will oppose the proposal very violently. I think, Sir, that the Members of this Committee entered upon their duties knowing full well that the usual rates of travelling and other allowances allowed to Members working on committees will apply to their cases also. It seems to me to be most unfair to come before the House now and demand higher rate of allowances. Besides, it would be setting up a dangerous precedent, for, if we sanction to-day this enhanced scale of allowance to Members of the Simon Committee, it means that we are laying down a new principle. It will mean that each committee will have to consider the scale with reference to the work it does, the amount of study which the Members have to bestow to the subject that is referred to them and so on, and then Government will have to fix a varying scale of allowances to the Members of that committee. Besides it will be argued that the rate of allowances allowed to Members of committees should depend upon their earning capacity. There are many hon.

[Mr. R. N. Arogyaswami Mudaliyar] [11th March 1929]

Members of this House who are earning not tens but hundreds of rupees; there are others who may be earning nothing at all. It seems to me most unfair that we should try, by passing this grant to-day, to depart very materially from the principles underlying the grant of allowances to Members of committees hitherto.

"Let me state what is being done with reference to some committees that were recently appointed, for instance, the Mettur Committee and the Committee to go into the question of resettlement in Godavari and Kistna districts. The Government have sanctioned only a daily allowance of Rs. 7½, not even the sum of Rs. 10 usually granted to Members of this House serving on committees. The question of resettlement in the districts mentioned above will certainly engage the attention of the committee for a good deal of time and it requires a good deal of study also. I ask 'are we Members of these committees to go up to the Government in each case and state our case; that we have to leave our work and go to the mufassal; that we can earn so many rupees here; whereas you are giving us only Rs. 7½; and that our allowances should be enhanced.' I think it is a bad principle for hon. Members of this House to look upon this business as a paying one. We have come here not to earn money. In that sense, it seems to me, Sir, that the grant of this enhanced allowance will certainly not be to the credit of the Members of the Simon Committee. I think, Sir, that we should feel in our hearts that we have come here to serve the country. I believe these Members joined the Simon Committee in order to serve the country to the best of their lights. I think they would be falling in public estimation if and when they ask for this increased rate of allowance. I suppose they ought to be very glad to serve on these committees on the same terms as many other Members of this House are doing. It is certainly not going to add to the reputation of the Members of the Committee, if they ask for an increased rate of allowances.

3-15
p.m.

"I am surprised that the hon. the Revenue Member, who, we usually know, takes generally very clear views of things, has not turned this down. It certainly will not enhance the reputation of Government. I should have rather expected that he would have opposed this and not lent his support. For these reasons I appeal to the Members of the Committee to drop this question, even at this late stage, for I feel that they would rise in the estimation of the public, and if they do not withdraw it, I suppose they must take the consequences as they come. It may be that they do not care for it, but I would even now appeal to them to drop it and put themselves on a level with the other Members of committees. I would also appeal to Government not to tolerate this any more and if possible to withdraw it. I do not think I need repeat the arguments that have been brought forward by previous speakers, but I feel, as I said before, that, if this is passed, it would almost amount, to some extent, to a breach of faith. When the Committee was first appointed, many Members would have competed if they had known that they would get more travelling allowances and daily allowances. It is not fair, as I said, at this stage to come in and ask for this enhanced allowance, because it would mean that in the case of the committees already appointed and those committees to be appointed in future we shall have to start on a new principle. It would mean the assessment on the personal earning value of each Member and I should on that account oppose it, because it would involve Government in larger expenditure than what was contemplated for their allowances. For these reasons, I oppose this motion."

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* Mr. C. GOPALA MENON :—" Sir, on questions like this we have to be fair with the Members who have undertaken the task. They are doing this work at great odds. The question is whether that work is onerous and exacting and the point raised by my hon. Friend Mr. Arogyaswami Mudaliyar that the motion for extra remuneration should have been turned down by Government is not at all fair to Government, because they have been appointed by this House and it is only proper and just that this question should be brought up before this House in the form of a token motion. Therefore, it is but right that this question has come up before this House for sanction. The discussion that ranged so far is whether any work is onerous and exacting. With regard to that, I may point out that these Members ever since they were appointed in September last had to read several books on constitution and particularly, Sir, when we are asked to do similar work." (Several voices : "Oh, Oh!")

* The hon. the PRESIDENT :—" I request the hon. Member to address the Chair."

* Mr. C. GOPALA MENON :—" Not only have they to study constitutional procedure but have to wade through the voluminous evidences placed before them, and I understand they are something like 150 to 200. They have also to wade through the Memorandum sent to them for perusal. They are sitting continuously since September last and they have to be fully engaged on that work till they go to and return from Delhi. They have to go to Delhi now and probably spend about a month's time there, sitting there for about a week or ten days and a number of days to go and come back. There they have also to sit with the other Provincial Committees, take evidence and confer with the Central Committee and other Provincial Committees. Then, they have to write out a report and that report has to be submitted, as we are all aware, to this House for our approval, as decided upon, on the last occasion. All these involve a good deal of work on their part.

" The question is whether the remuneration that they have asked for, namely, Rs. 50, is fair or not. We shall now consider what the other committees who have undertaken similar work have been paid in the past or are generally paid. I understand that the Members of the Educational Auxiliary Committee appointed to help the Simon Commission are drawing Rs. 50, and the Members who are returned by this House to the Industrial Board and to the Railway Advisory Committee are also getting Rs. 30 or Rs. 35, so that I do not consider that the sum of Rs. 50 which they are now asking for this special work is too much.

" With regard to the point raised by Mr. Arogyaswami Mudaliyar that this question should not have come up now, I understand that this Committee asked for an increase even from the beginning. In matters like this, a compromise can be effected at any stage. (Voices from the Congress benches : 'Twenty rupees.') Whatever that might be. We have come here not merely to speak, but to vote a right."

* Mr. G. HARISARVOTTAMA RAO :—" On a point of order, Sir. Can the representative of the South Indian Chamber of Commerce speak in his own capacity ?"

* Mr. C. GOPALA MENON :—" As a Member of this House, Sir. Then, I do not consider that the enhanced remuneration sought to be given by this token cut is either heavy or too much. When their report is received here,

[Mr. C. Gopala Menon]

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you will find what return they had made for the amount which we are asked to sanction now. (Several voices from the Congress benches : 'Hear, hear : Then adjourn : We will pay more' ; and so on :)

"We should vote on this motion with a fair mind. I therefore have great pleasure in supporting this motion."

* Mr. J. A. SALDANHA :—"Sir, I shall not quarrel with my Friends as to the amount and rates that they have claimed. I shall discuss the question from principle under lying, a principle which goes to the root of the matter. Now, in the explanatory note, it is stated that the Government think that the Members are entitled to Rs. 40 plus 10. This Rs. 10 is drawn under Travelling Allowance rule 4, under which Members are entitled to allowances for duties done as Members. I ask, is it the function of any Member of this House or of this Council to draw up a constitution? I say I have gone through all the laws and rules on this subject and this duty of drawing up a constitution does not come in under any statute or rule or law. Take an extreme case; suppose we decide to send a committee to tour round the world to study constitutions and to draw up the best constitution for India. We can send such a committee as a matter of joke or fun but have we got the power to sanction travelling allowances for that committee appointed to go round the world? Our powers are not residuary but are delegated, definite and clearly laid down by statute and rules. Section 84 of the Government of India Act empowers the Parliament to appoint a commission to investigate into the question of responsible government, but neither the Secretary of State nor the Government of India nor a Commission has power to get this Council to appoint a committee to help it in drawing a constitution, the cost of which is to be borne out of our revenue. I challenge any hon. Member to show under what section or under what rule this committee can be appointed to draw up a constitution. As a member of this House I ask whether any Member of this House has power to draw up or help anybody in drawing up a constitution for the Government of India or for the Government of this Presidency and draw upon our revenues for travelling and daily allowances in connexion with such duty. It is not within their jurisdiction and they have absolutely no power. It is clear that travelling and daily allowances can be drawn only for duties done as Members of this House. See rule 4 of the Travelling Allowance Rules. I raised this question when the committee was appointed. The hon. the President asked me what about the Finance Committee. The Finance Committee is appointed to control expenditure for the province and it is within our province to appoint and pay such committee. Sir, this is a matter which should go to a court of law, if it is not satisfactorily settled. I think it would be *ultra vires* of the Council or Government to sanction the allowance. The Secretary of State has of course unlimited powers whereas this House has no such powers. So, I would go and fight it out in a court of Justice. I challenge the hon. the Finance Member and the hon. the Leader of the House to answer this question of mine." (Laughter.)

* The hon. the PRESIDENT :—"I do not think the hon. Member will be justified in offering a challenge to this side of the House. The hon. Member has got various other channels open to him."

3-30 p.m. Mr. J. A. SALDANHA :—"I will not challenge, but I will go to court, Sir. (Loud and continued laughter.) Sir, I have put the question very clearly and I want it to be answered. I hope the House will agree with me when I say

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[Mr. J. A. Saldanha]

that it would be *ultra vires* for us to pass this grant and it would be illegal for the Members to draw the allowance, even if it were granted. If they are entitled to it, let them draw even Rs. 100. There are some Members of this House who spend hours together more than even the hon. Members on the Treasury Bench in preparing for the Legislative Council work and they deserve larger sums than these members of the Madras Simon Committee demand. In conclusion, I once more say this House has not the power to decide this matter and, even if this were passed here, I hope it will not be granted until the question of *ultra vires* is set at rest by a competent court of justice."

* Mr. C. E. WOOD:—"I rise to try and protect the Members of the Provincial Committee who, as a result of Mr. Saldanha's impassioned speech seem about to lose even the Rs. 10 which was coming to them. (Laughter.) My hon. Friend, Mr. Arogyaswami Mudaliyar, who is an expert engineering administrator, likened them to contractors, and said that it would be most irregular for contractors, once they had accepted rates, to apply for an enhancement. Well, I seem to remember a time when, as a member of a certain committee, I had the pleasure of hearing evidence by Mr. Arogyaswami who said then that if the rates given to a contractor were found to be unremunerative he, as one in authority, always endeavoured to give an enhancement if he considered a hardship was entailed otherwise. The hon. Member seems to have grown a harder heart since those days. (Laughter.) We, on these benches, do not consider that the additional Rs. 40 proposed is proper remuneration for the work entailed, especially remembering all the labours necessary to cope with the vast number of entertainments to which the Commission was subjected. (Laughter.) But, joking apart, we feel most sincerely that consideration should be shown by this House for the fact that the work was of national importance, that it involved most anxious thought and study of voluminous papers and literature, quite apart from the attendance at committees.

"We do not suggest that the enhancement of the allowance by Rs. 40 will pay for the work and time involved, but we do think that the Madras members should be placed on the same footing as their colleagues and that it will involve shame to this House if it does not grant at least what other provincial councils have seen fit to grant.

"We therefore support the motion."

* Mr. S. SATYAMURTI:—"Mr. President, I am surprised that a keen business man like my hon. Friend who spoke last should have suggested that the work of the members of the Legislative Council in any capacity should be assessed in terms of money. I know, if they spend their time and energy which they spend here elsewhere, it would secure for them vast sums of money. I look forward to the day when hon. Members of this House will be paid for; otherwise we may not be able to secure the services of able, independent and efficient men to man the Legislature. But there should be no distinctions. Now, however, what do we get? For the thirty or forty days' work we are paid at the rate of a petty sum of Rs. 10 a day. Surely it is no compensation for our work. Surely it seems to me to be strange that for the members of the Simon Committee alone a new canon of assessing public service should be created, when other members have wisely kept silent. To adopt such a principle is surely to lay the axe at the very foundations of public life. As I said, Mr. President, I look forward to the time when there

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will be payment of allowances to the members of the legislatures ; otherwise it seems to me that you cannot secure and retain the services of those competent, able, honest and impartial men in increasing numbers, which you should secure, if India is to be democratically and honestly and wisely governed.' But for the time being there ought to be no distinction between the services of one member and another. I do not like to speak about myself. Sir, let me say this, that it takes me two to three hours a day to prepare on all the subjects included in the agenda for a day. And especially during budget time I have to devote six to eight hours a day and for this I am paid the small sum of ten rupees a day. Do my hon. Friends, Sir A. P. Patro and others not feel that they are spending anxious days and are bestowing much thought, because they feel they are rendering highest service to their country and to their Government according to their best lights? If that is so, should they not be satisfied with that? Why should they come here and say 'we want forty rupees more', because forsooth the members of the Central committee are drawing that allowance."

Rao Bahadur Sir A. P. PATRO :—"They draw Rs. 75."

* Mr. S. SATYAMURTI :—"Then you must congratulate yourself on your modesty. Is it a question of equality of status? If they wanted some more money, is it then right to ask for it on the plea of equality? No, they want forty rupees. I ask, why this want of method in this madness? (Cries of 'no, no'.)"

* The hon. the PRESIDENT :—"The hon. Member should address the Chair."

* Mr S. SATYAMURTI :—"Yes, Sir. It is a monologue of my Friend, and I do not propose to answer him. But I propose to thank the hon. the Revenue Member for the small mercy of reducing Rs. 75 to Rs. 50. Then Sir, why should the hon. the Revenue Member take the initiative in this matter? Why not let Sir A. P. Patro bring up this motion? By bringing this demand, he brings down the prestige of Government all the while telling us that he is fighting for it. Is it fair, I ask, or is it chivalrous? Why should not Government remain neutral and say 'we will give only Rs. 10'. To this, we are told in reply that their work is very onerous, very responsible. I have read the memorandum of the Government of Madras. I do not think the members of the committee could have done better with their limitations than the Madras Government have done. I should like to know what is the work this committee has done which the Government of Madras have not done. Although the Government Members have drafted the memorandum, have they claimed any extra allowance for it? Or has the Secretary to Government claimed any allowance for it? The Hon. the Revenue Member had to do this work along with his other work, like irrigation, elections, revenue and various other things. And for drafting this report he does not get any remuneration. My friends sit there and assist the Simon Commission in cross-examining the witnesses who very rarely appear. I should like to know for how many hours they have sat. What is the nature of the work they carried out there? Was it not attending entertainments? Can it be called work? Surely, the man who gets entertainments must be satisfied with that. He should not ask for more money for attending those entertainments."

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"Coming to the point raised by my Friend Mr. Saldanha, I want to submit to the hon. the Revenue Member and to the hon. the Finance Member that this Council has got the power to deal with the revenues of this province only for the purposes of this province. But can this Council appoint a committee which may be a law unto itself, go wherever it likes sit as long as it likes, on the principle — कालोद्यं निरवधिः विपुला च पृथ्वी । 'Time is endless and the world is wide', 'I will sit as long as I like and I will go where I like,' when the members of that committee are members of this House and when that House does not agree to that motion at all? Now, Sir, is there no limit to this committee's existence? The hon. the Revenue Member said nothing about the winding up of this committee, and it seems the committee will go on sitting forever and visiting endless places. When do they go to Delhi? How long are they going to stay there? What is the work they are going to turn out there?

"Then, Sir, what is the additional allowance for? For the work they have already done. They have lost their precious time, their precious business and they have done their work. Why give them retrospective consolation? I can understand, if it is for the work they are going to do hereafter. Therefore viewed from any point of view I think this motion is untenable. Hon. Members of this House have more than once sat as members of select committees and devoted their undivided attention to the work. Mr. President, Sir, you yourself have presided over the Andhra University Bills Select Committee and spent a long time over it; and yet nobody asked for more than ten rupees. And what did the witnesses say with a view to reform Government? They said 'Whatever reforms you may give us, we want the minority communities to be protected.' Minority communities should get representation. They should get such representation that the minorities should be able to defy the majority. 'We want one-third in the services and one-third in the Council.' What solid contribution to constitution-making have these gentlemen made? As I said, there ought to be no attempt to assess public work in terms of money; for to do so will be to degrade public life; it will be cutting at the very roots of public life.

"It is degrading to public life. It lays the axe at the very basis of 3-45 honourable public life. If members of this House are hereafter going to p.m. sell their services for Rs. 50 a day, then woe unto this province. I oppose this motion."

"The motion was put and declared carried! Mr. G. Harisarvottama Rao demanded a poll, and the House divided thus:—

Ayes.

- | | |
|--------------------------------------|---|
| 1. The hon. Sir Norman Marjoribanks. | 12. Mr. A. McG. C. Tampoe. |
| 2. " Khan Bahadur Sir Muhammad | 13. " C. W. E. Cotton. |
| Usman Sahib Bahadur. | 14. " V. Ch. John. |
| 3. " Mr. T. E. Moir. | 15. " M. A. Manikkavelu Nayakar. |
| 4. " Diwan Bahadur M. Krishnan | 16. " Syed Tajuddin Sahib. |
| Nayar. | 17. " C. D. Appavu Chettiar. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 18. " A. B. Shetty. |
| 6. " Mr. S. Muthiah Mudaliyar. | 19. " J. Bhémeyya. |
| 7. " Dr. P. Subbarayan. | 20. " P. J. Gnanavaram Pillai. |
| 8. Mr. Hilton Brown. | 21. " Mahmud Schammad Sahib. |
| 9. " H. A. Watson. | 22. The Zamindar of Singampatti. |
| 10. " C. A. Souter. | 23. Mr. J. Kuppuswami. |
| 11. " S. H. Slater. | 24. Subadar-Major S. A. Nanjappa Bahadur. |

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Ayes—cont.

25. Mr. K. Krishnan.
26. „ V. I. Muniswami Pillai.
27. „ W. P. A. Soundarapandya Nadar.
28. „ S. Subrahmanya Mooppanar.
29. „ S. Venkiah.
30. Rao Sahib R. Srinivasan.
31. Mr. C. E. Wood.
32. „ W. O. Wright.
33. „ F. E. James.
34. „ R. J. O. Robertson.
35. Rajkumar S. N. Dorai Raja.
36. Mr. S. Arpudaswami Udaiyar.
37. The Zamindar of Kallikota.
38. Mr. U. Ramaswami Ayyar.

39. The Zamindar of Gollapalli.
40. Mr. C. Gopala Menon.
41. „ B. Ramachandra Reddi.
42. Diwan Bahadur P. C. Ethirajulu Nayudu.
43. Mr. P. T. Rajan.
44. „ T. K. Chidambaranatha Mudaliyar.
45. Rao Bahadur S. Ellappa Chettiyar.
46. Khan Bahadur S. K. Abdul Razaek Sahib Bahadur.
47. Mr. Muhammad Khadir Mohideen Sahib.
48. Khan Sahib T. M. Moidu Sahib Bahadur.
49. The Zamindar of Mirzapuram.
50. Mr. A. V. Bhanoji Rao.

Noes.

1. Mr. V. Ramjee Rao.
2. „ P. C. Venkatapati Raju.
3. „ R. Srinivasa Ayyangar.
4. „ S. Satyamurti.
5. „ C. V. Venkataramana Ayyangar.
6. „ J. A. Saldanha.
7. „ G. Harisarvottama Rao.
8. „ Basheer Ahmed Sayeed.
9. „ C. S. Govindaraja Mudaliyar.
10. „ Abdul Hameed Khan.
11. „ L. K. Tulasiram.
12. „ K. V. R. Swami.
13. „ D. Narayana Raju.
14. Dr. B. S. Mallayya.
15. Mr. K. Madhavan Nayar.

16. Mr. P. Anjaneyulu.
17. „ A. Parasurama Rao.
18. „ T. Adinarayana Chettiyar.
19. „ A. Kaleswara Rao.
20. „ M. Narayana Rao.
21. „ C. N. Muthuranga Mudaliyar.
22. „ C. Marudavanam Pillai.
23. „ Muhammad Meera Ravuttar Sahib.
24. „ C. Venkatarangam Nayadu.
25. „ A. Ranganatha Mudaliyar.
26. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
27. Mr. Ramnath Goenka.
28. „ C. R. Parthasarathi Ayyangar.
29. „ R. Nagan Gowda.

Neutral.

1. Mr. N. Siva Raj.
2. The Zamindar of Seithur.
3. Mr. P. Siva Rao.

4. Rao Bahadur Sir A. P. Patro.
5. Diwan Bahadur S. Kumarawami Reddiyar.
6. Kumarajagi of Venkatagiri.

Ayes 50.

Noes. 29.

Neutral 6.

The motion was carried and the grant was made.

VI.

MOTION *re* SITTINGS AT OOTACAMUND OF THE SELECT COMMITTEE ON THE BROTHELS BILL.

Mr. ABDUL HAMEED KHAN:—"Sir, I move—

'that this Council authorizes the Select Committee appointed by it to report on the Bill for the Suppression of Brothels and Immoral Traffic (Bill No. 16 of 1928) to hold its sittings at Ootacamund, to hear witnesses and to draft the report.'

"Sir, at the outset I may make it clear that I move this motion as the Chairman of the Committee at the instance of the hon. the President. I may inform the House that after the Select Committee was formed and it met twice or thrice, it decided to send a questionnaire to about sixty persons in the Presidency. About 29 of them have responded, and at a subsequent meeting of the Select Committee it was decided almost unanimously that all the witnesses who had answered the questionnaire should be called upon to attend for oral examination. It was practically on the last day of the last sitting of this Council that we had a meeting of the Select Committee, and it was at that meeting that we came to a decision that, in view of the fact that the Government